

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
BROOKIE M. CARTER	:	BK. No. 15-22150 TPA
Debtor	:	
	:	Chapter No. 13
KONDAUR CAPITAL CORP, AS SEPARATE TRUSTEE	:	
OF MATAWIN VENTURES TRUST SERIES 2014-4	:	Document No. 29
Movant	:	
v.	:	Hearing Date: 09/28/2015
BROOKIE M. CARTER	:	
and	:	Hearing Time: 9:00 AM
RONDA J. WINNECOUR, ESQUIRE (TRUSTEE)	:	
Respondents	:	

**OBJECTION OF KONDAUR CAPITAL CORP, AS SEPARATE TRUSTEE OF
MATAWIN VENTURES TRUST SERIES 2014-4 TO CONFIRMATION OF THE DEBTOR
CHAPTER 13 PLAN**

Movant, **KONDAUR CAPITAL CORP, AS SEPARATE TRUSTEE OF MATAWIN VENTURES TRUST SERIES 2014-4** (hereinafter referred to as "Movant"), by its attorneys Phelan Hallinan Diamond & Jones, LLP hereby objects to confirmation of the Debtor's Chapter 13 Plan as follows:

1. Movant is **KONDAUR CAPITAL CORP, AS SEPARATE TRUSTEE OF MATAWIN VENTURES TRUST SERIES 2014-4**.
2. Debtor, BROOKIE M. CARTER, is the owner of the property located at 112 KEEFER DRIVE, PITTSBURGH, PA 15235-3934.
3. On August 13, 2015, Movant filed Proof of Claim listing pre-petition arrears in the amount of \$27,350.17 and a total debt in the amount of \$54,431.96. A copy of the Proof of Claim is attached hereto as Exhibit "A" and made a part hereof.
4. Debtor's Plan currently provides for Movant's claim to paid in full according to modified terms with a modified principal balance in the amount of \$41,600.95 at 4.25%. A copy of the Debtor's Plan is attached hereto as Exhibit "B" and made a part hereof.
5. Movant objects to the treatment of its first mortgage lien in Debtor's Chapter 13 Plan as the terms violate the anti-modification provisions of 11 U.S.C. 1322(b)(2).
6. Confirmation of the proposed Chapter 13 Plan should be denied and the Debtor required to file an Amended Plan which properly treats Movant's claim.

WHEREFORE, **KONDAUR CAPITAL CORP, AS SEPARATE TRUSTEE OF MATAWIN VENTURES TRUST SERIES 2014-4** respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully Submitted,

/s/ Joseph P. Schalk, Esquire

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Dated: August 20, 2015